

SCHEDULES

SCHEDULE 13

FUNCTIONS TRANSFERRED TO JUSTICES' CHIEF EXECUTIVES

The Betting, Gaming and Lotteries Act 1963 (c. 2)

- 32 The Betting, Gaming and Lotteries Act 1963 has effect subject to the following amendments.
- 33 (1) Section 10A (cancellation of betting office licence) is amended as follows.
- (2) In subsection (4) (notification of cancellation)—
- (a) for “clerk of” substitute “proper officer of”, and
- (b) for “clerk to” (in both places) substitute “proper officer of”.
- (3) After that subsection insert—
- “(5) In subsection (4)—
- “the proper officer of the authority” has the same meaning as in Schedule 1; and
- “the proper officer of the court” means—
- (a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court; and
- (b) in relation to a court of summary jurisdiction in Scotland, the clerk of the court.”
- 34 (1) Section 11 (cancellation of and disqualification for bookmaker's permit or betting agency permit) is amended as follows.
- (2) In subsection (5) (notification of cancellation)—
- (a) for “clerk of” substitute “proper officer of”, and
- (b) for “clerk to” (in both places) substitute “proper officer of”.
- (3) After that subsection insert—
- “(6) In subsection (5)—
- “the proper officer of the authority” has the same meaning as in Schedule 1; and
- “the proper officer of the court” means—
- (a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court; and
- (b) in relation to any other court, the clerk of the court.”
- 35 (1) Schedule 1 (bookmaker's permits, betting agency permits and betting offices licences) is amended as follows.
- (2) In paragraph 2 (interpretation), for the definition of “clerk to the appropriate authority” substitute—

Status: This is the original version (as it was originally enacted).

““the proper officer of the appropriate authority” means—

- (a) in England, the chief executive to the justices comprising the committee referred to in paragraph 1 of this Schedule; and
- (b) in Scotland, the clerk to the licensing court;”.

- (3) In paragraphs 5 and 6 (applications for grant of permit or licence), for “clerk to” substitute “proper officer of”.
- (4) In paragraph 7 (notification of meeting to consider application)—
 - (a) for “clerk to”, in both places, substitute “proper officer of”, and
 - (b) for “clerk”, in the remaining four places, substitute “proper officer”.
- (5) In paragraph 8 (applications for renewal of permit or licence), for “clerk to” (in each place) substitute “proper officer of”.
- (6) In paragraph 9 (person to whom application to be made)—
 - (a) for “clerk to” (in both places) substitute “proper officer of”, and
 - (b) in paragraph (a), for “clerk” substitute “proper officer”.
- (7) In paragraph 11(b) (receipt of objections), for “clerk to” substitute “proper officer of”.
- (8) In paragraph 12 (procedure where objection received), for “clerk” substitute “proper officer”.
- (9) In paragraph 20 (grant or renewal of permit or licence)—
 - (a) in sub-paragraph (1), for “clerk to” substitute “proper officer of”, and
 - (b) in sub-paragraph (2), for “clerk to” substitute “proper officer of”.
- (10) In paragraph 20A (clerk to act on unopposed applications for renewal)—
 - (a) in sub-paragraph (1), for “clerk to” substitute “proper officer of” and for “clerk may” substitute “clerk to the authority may”, and
 - (b) after sub-paragraph (4) insert—
 - “(5) For the purposes of this paragraph, the clerk to the appropriate authority, where the authority is a committee of the justices acting for a petty sessions area, is the clerk to those justices or, if there are two or more clerks to those justices—
 - (a) such one of those clerks as the magistrates' courts committee having power over the appointment of clerks to justices for that area may direct; or
 - (b) in default of any such direction, any of those clerks.”
- (11) In—
 - (a) paragraph 21(1), (2) and (4)(b) (appeals),
 - (b) paragraph 25 (notification of change in directors),
 - (c) paragraphs 26 (in both places) and 27(1) (cancellation of bookmaker's permit),
 - (d) paragraphs 28A(1)(a) and (2), 28B(2) and (3) and 28C(1) and (2) (cancellation of betting office licence),
 - (e) paragraph 34 (registers), and

(f) paragraphs 36 and 37(1) (provision of information),
for “clerk to” substitute “proper officer of”.